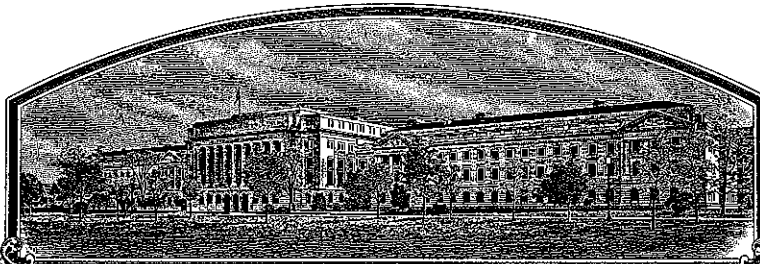


No.

9900343



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Rijk Zwaan Zaaiteelt en Zaaidehandel B.V.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Mendoza'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-sixth day of July, in the year two thousand and five.

Attest:

  
Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

  
Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE DIVISION

## APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(INSTRUCTIONS ON REVERSE)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate) Rijk Zwaan Zaadteelt en Zaadhandel B.V.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO. N/A		3. VARIETY NAME MENDOZA	
4. ADDRESS (street and no. or R.F.D. no., city, state, ZIP, and country) Burgemeester Crezeelaan 40 2678 KX DE LIER, The Netherlands		5. PHONE (include area code) 00 31 174 532300		FOR OFFICIAL USE ONLY	
		6. FAX (include area code) 00 31 174 513730		PVPO NUMBER 9900343	
7. GENUS AND SPECIES NAME Lettuce ( <i>Lactuca sativa</i> L.)		8. FAMILY NAME (Botanical) Compositae		FILING DATE 6/22/99	
9. CROP KIND NAME (Common Name) Lettuce				FILING AND EXAMINATION FEE \$ 2450.00	
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Rijk Zwaan Zaadteelt en Zaadhandel B.V. Corporation				DATE 6/22/99	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION Corporation		12. DATE OF INCORPORATION The Netherlands 18.08.1955		CERTIFICATE FEE \$ 432.00	
				DATE 5/17/2005	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS.					

PHONE (include area code):

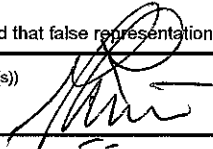
FAX (include area code):

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow INSTRUCTIONS on reverse)	
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2450), made payable to "Treasurer of the United States" (Mail to PVPO)	
15. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)? <input type="checkbox"/> YES (If "yes", answer items 16 and 17 below) <input checked="" type="checkbox"/> NO (If "no", skip to item 18 below)	
16. DOES THE APPLICANT SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO	17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED
18. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES (If "yes", give names of countries and dates) <input type="checkbox"/> NO	
France, September 1996 for the first time. The variety has not been offered for sale in the United States of America	

19. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in section 41, and is entitled to protection under the provisions of section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s)) 		SIGNATURE OF APPLICANT (Owner(s))	
NAME (Please Print or Type) M. Zwaan		NAME (Please Print or Type)	
CAPACITY OR TITLE Managing Director	DATE 18 May 1999	CAPACITY OR TITLE	DATE

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed Exhibits A, B, C, E; (3) at least 2,500 viable untreated seeds, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in a public repository prior to issuance of a certificate; (4) check drawn on a U.S. bank for \$2450 (\$300 filing fee and \$2150 examination fee), payable to "Treasurer of the United States" (See Section 97.175 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 30 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Blvd, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$300 for issuance of the Certificate.

Plant Variety Protection Office  
Telephone: (301) 504-5518

**ITEM**

- 14a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified.
- 14b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 14c. Exhibit C forms are available from the PVPO for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 14d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 14e. Section 52(4) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. The applicant may be the actual breeder, the employee of the breeder, the owner through purchase or inheritance, etc.
15. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant may **NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See P.L. 103-349 for additional information.)
18. See section 41, 42, and 43 of the Act and section 97.175 of the regulations for eligibility requirements.

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment is specified in section 97.175 of the regulations. (See section 101 of the Act, and sections 97.130, 97.131, 97.175(h) of Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant should check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center—East, Beltsville, MD 20705. Telephone: (301) 504-8089.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W Administration Building, Washington, DC 20250; and to the Office of Management and Budget, Paperwork Reduction Project, Washington DC 20503, regarding OMB 0581-0055.



EXHIBIT A

*Genealogy:*

Mendoza was developed from the cross between the varieties Valeria (Leen de Mos Zaden, The Netherlands) as female parent and Malibu (Rijk Zwaan Zaadteelt en Zaadhandel B.V., The Netherlands) as male parent.

*The details of stages of selection and multiplication:*

The cross was made in Autumn 1990. Seeds from the pollinated flowers were sown and seedlings were challenged with downy mildew (*Bremia lactucae* race NL 16) to separate true F1's from inbreds.

F2 seeds were produced and the F2 generation was grown in Autumn 1991. F2 plants were selected in the field for intensity of anthocyanin coloration. Selected F2 plants were tested for downy mildew resistance and resistant plants were grown to produce F3 seeds.

F3 lines were grown in 1992 and a vigorously growing plant with weakly undulated apical margin of the leaves and intensely red coloration was selected. The selected F3 plant was grown to produce F4 seeds.

F4 lines were grown in 1993 and selected for plant habit and uniformity. Selected F4 plants of one superior line were grown and the seeds of these plants were bulked and used as basic seed for production of Mendoza and for registration samples.

Field evaluation of lines of the leaf lettuce type include the following features:

- Homogeneity
- Plant size
- Plant weight
- Intensity of coloration
- Smoothness of leaf margin
- Glossiness of leaf
- Heading
- Bolting

Tests in the laboratory include Downy Mildew resistance

"Mendoza" was stable and uniform in variety tests and in seed multiplication carried out in 1995. Official tests of NAKG (EC Variety List) confirmed the uniformity and stability of "Mendoza"

*The type and frequency of variants during reproduction and multiplication and how these variants may be identified:*

The frequency of variants of curly type in the variety "Mendoza" should be less than 0,5 per cent.



page - 2 - Exhibit B

*Difference from other lettuce varieties from the database:*

Denomination of parent variety	Characteristics in which the similar variety is different	State of expression of similar variety	State of expression of candidate variety
Ruby	Leaf: color	reddish brown	very deep red (triple red)
Ruby	Resistance to downy Mildew (Bremia Lactuca NL races 1, 2, 3, 5 and 16	susceptible	resistant
Ruby	Plant: heading	present	absent
Redhead	Leaf: intensity of Anthocyanin coloration	moderate	very intense (triple red)
Redhead	Leaf: margin	wavy	scalloped
Redhead	Resistance to downy Mildew (Bremia Lactuca NL races 2, 5 and 16	susceptible	resistant
Deep Red	Leaf containing anthocyanin	3 along margin extending to midrib on fully exposed leaves	1 covered
Deep Red	Leaf: margin	wavy	scalloped
Deep Red	Resistance to downy Mildew (Bremia Lactuca NL races 1-16	susceptible	resistant



## EXHIBIT B: Statement of Distinctness

*Identify the varieties and state all differences objectively:*

Mendoza is a leaf lettuce, characterized by a non-heading plant, very thin, upright, elliptic and very dark red, very glossy leaves and non fan-wise venation.

There is no variety, which comes close in the white seeded leaf lettuce group, because of its intense anthocyanin coloration and its resistance to Downy Mildew *Bremia lactucae* races NL 1-16.

*Difference from parent varieties:*

Denomination Of parent variety	Characteristics in which the similar Variety is different	State of expression of similar variety	State of expression of candidate variety
Malibu	Plant: diameter	medium small to medium	medium
Malibu	Plant: heading	present	absent
Malibu	Leaf: intensity of anthocyanin coloration	strong (double red)	very strong (triple red)
Malibu	Leaf: thickness	thin	very thin
Malibu	Leaf: attitude	semi-erect	erect
Malibu	Leaf: shape (harvest mature)	broad elliptic	elliptic
Malibu	Leaf: glossiness	medium to strong	very strong
Malibu	Leaf: profile outer leaves	flat	convex at margins
Malibu	Leaf: undulation of the apical margin	very strong	medium
Malibu	Leaf blade: venation	fan-wise	non-fan-wise
Malibu	Bolting	very late	late
Valeria	Leaf: intensity of anthocyanin coloration	strong (double red)	very strong (triple red)
Valeria	Resistance to Downy mildew ( <i>Bremia lactucae</i> : NL races 1-16)	susceptible	resistant
Valeria	Plant: heading	present	absent

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<u>Denomination of of similar variety</u>	<u>Characteristics</u>	<u>Expression similar variety</u>	<u>Expression candidate variety</u>
Loretta	Leaf: profile outer leaves	flat	convex at margins
Loretta	Leaf: undulation of apical margin	very strong	medium
Loretta	Leaf blade: venation	fan-wise	non-fan-wise
Loretta	Plant: diameter	small to very small	medium

Trial 1

location: Aramon, France  
sowing: 17 feb 2000  
planting: 16 Mar 2000  
observed: 10 May 2000

	<u>Mendoza(n=10)</u>	<u>Ruby</u>	<u>Loretta(n=10)</u>
anthocyanin coloration:	187B	176B	187B
average plant diameter (cm):	30.2 (std=0.8)	-	25.1 (std=0.9)

Trial 2

location: Fijnaart, The Netherlands  
sowing: 9 Mar 2000  
planting: 10 Apr 2000  
observed: 5 Jun 2000

	<u>Mendoza</u>	<u>Ruby</u>	<u>Loretta</u>
anthocyanin coloration:	187A	176A	187B
average plant diameter (cm):	28.8 (std=1.2)	-	23.6 (std=1.0)

An F-test based on an analysis of variance across trials shows that Loretta and Mendoza are significantly different for plant diameter. Mendoza is larger than Loretta ( $F=160$ ;  $p<0.001$ ).

Although intensity of red coloration differs across trials, in both trials Mendoza is more red than Ruby.

'Mendoza' is most similar to 'Ruby' and 'Loretta'.  
(per correspondence of 1/20/2005. MATH 2-26-2005)

OBJECTIVE DESCRIPTION OF VARIETY  
LETTUCE *Lactuca sativa*

NAME OF APPLICANT (S) Rijk Zwaan Zaadteelt en Zaadhandel B.V.  ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) Burgemeester Crezeelaan 40 2678 KX DE LIER The Netherlands	FOR OFFICIAL USE ONLY	
	PVPO NUMBER 9900343	
	VARIETY NAME MENDOZA	
	EXPERIMENTAL DESIGNATION	

Place numbers in the boxes for the characters which best describe this variety. Measured data should be the mean of an appropriate number (at least 10) of well spaced plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

The location of the test area is: The Netherlands	Color System Used:
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1. PLANT TYPE: (See list of suggested check varieties page 4.)

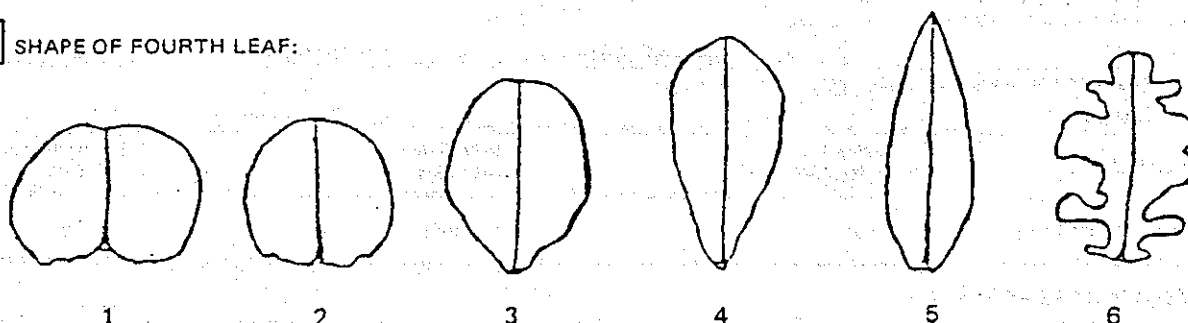
01=Cutting/Leaf 02=Butterhead 03=Bibb 04=Cos or Romaine	05=Great Lakes Group 06=Vanguard Group 07=Imperial Group 08=Eastern (Ithaca) Group	09=Stem 10=Latin 11=OTHER
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2. SEED:	COLOR	LIGHT DORMANCY	HEAT DORMANCY
1	1=White (Silver Gray) 2=Black (Gray Brown) 3=Brown (Amber)	1=Light Required 2=Light Not Required	1=Susceptible 2=Not Susceptible

3. COTYLEDON TO FOURTH LEAF STAGE: NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day old seedling grown under optimal conditions.

1	SHAPE OF COTYLEDONS:	1=Broad	2=Intermediate	3=Spatulate
---	----------------------	---------	----------------	-------------

4



1 7 LENGTH/WIDTH INDEX OF FOURTH LEAF: L/W x 10

3	APICAL MARGIN:	1=Entire	4=Moderately Dentate	7=Lobed
6	BASAL MARGIN:	2=Creanate/Griawed	5=Coarsely Dentate	8=OTHER (specify)
		3=Finely Dentate	6=Incised	

3	UNDULATION:	1=Flat	2=Slight	3=Medium	4=Marked
---	-------------	--------	----------	----------	----------

	GREEN COLOR:	1=Yellow Green	3=Medium Green	5=Blue Green	7=Gray Green
		2=Light Green	4=Dark Green	6=Silver Green	

ANTHOCYANIN:

4	DISTRIBUTION:	1=Absent	3=Spotted	5=OTHER (specify)
		2=Margin Only	4=Throughout	

3	CONCENTRATION:	1=Light	2=Moderate	3=Intense
---	----------------	---------	------------	-----------

1	ROLLING:	1=Absent	2=Present
---	----------	----------	-----------

2	CUPPING:	1=Uncupped	2=Slight	3=Markedly
---	----------	------------	----------	------------

1	REFLEXING:	1=None	2=Apical Margin	3=Lateral Margins
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## 4. MATURE LEAVES (observe harvest-mature outer leaves):

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NOTE: Provide color photo of harvest-mature leaves which accurately shows color and margin characteristics.

## MARGIN:

1	INCISION DEPTH: (deepest penetration of the margin)	1=Absent/Shallow (Dark Green Boston)	2=Moderate (Vanguard)	3=Deep (Great Lakes 659)
1	INDENTATION: (finest divisions of the margin)	1=Entire (Dark Green Boston) 2=Shallowly Dentate (Great Lakes 65)	3=Deeply Dentate (Great Lakes 659) 4=Crenate (Vanguard)	5=OTHER (specify)
2	UNDULATION OF THE APICAL MARGIN:	1=Absent/Slight (Dark Green Boston)	2=Moderate (Vanguard)	3=Strong (Great Lakes 659)
6	GREEN COLOR:	1=Very Light Green (Bibb) 2=Light Green (Minetto)	3=Medium Green (Great Lakes) 4=Dark Green (Vanguard)	5=Very Dark Green 6=OTHER
ANTHOCYANIN (grown at or below 10 C):				
4	DISTRIBUTION:	1=Absent 2=Margin Only (Big Boston)	3=Spotted (Calif. Cream Butter) 4=Throughout (Prize Head)	5=OTHER (specify)
3	CONCENTRATION:	1=Light (Iceberg)	2=Moderate (Prize Head)	3=Intense (Ruby)
2	SIZE:	1=Small	2=Medium	3=Large
3	GLOSSINESS:	1=Dull (Vanguard)	2=Moderate (Salinas)	3=Glossy (Great Lakes)
3	BLISTERING:	1=Absent/Slight (Salinas)	2=Moderate (Vanguard)	3=Strong (Prize Head)
1	LEAF THICKNESS:	1=Thin	2=Intermediate	3=Thick
1	TRICHOMES:	1=Absent (smooth)	2=Present (spiny)	

## 5. PLANT (at market stage. Choose a comparison variety appropriate for this type.):

3	7	SPREAD OF FRAME LEAVES:	cm This Variety	3	6	cm Salad Bowl	(specify comparison variety)
-	-	HEAD DIAMETER (market trimmed with single cap leaf):	cm This Variety	-	-	cm	(specify comparison variety)
5		HEAD SHAPE:	1=Flattened 2=Slightly Flattened			3=Spherical 4=Elongate	5=Non-Heading 6=OTHER
-		HEAD SIZE CLASS:	1=Small			2=Medium	3=Large
-	-	HEAD COUNT PER CARTON					
-	-	HEAD WEIGHT:	g This Variety	-	-	-	g (specify comparison variety)
-		HEAD FIRMNESS:	1=Loose 2=Moderate			3=Firm 4=Very Firm	

## 6. BUTT (bottom of market-trimmed head):

3	SHAPE:	1=Slightly Concave	2=Flat	3=Rounded
3	MIDRIB:	1=Flattened (Salinas)	2=Moderately Raised	3=Prominently Raised (Great Lakes 659)

## 7. CORE (stem of market-trimmed head):

2	6	mm Diameter at base of head	
-	-	Ratio of head diameter/core diameter	
7	0	Core height from base of head to apex:	
		mm This Variety	3 4 mm Salad Bowl (specify comparison variety)

## 8. BOLTING (Give First Water Date 31-03-98):

NOTE: First Water Date is the date seed first receives adequate moisture to germinate. This can and often does equal the planting date.

9	4	Number of days from First Water Date to seed stalk emergence (summer conditions):	
		This Variety	1 1 6 Salad Bowl (specify comparison variety)
2		BOLTING CLASS:	1=Very Slow 2=Slow 3=Medium 4=Rapid 5=Very Rapid
1	1	0	Height of mature seed stalk:
		cm This Variety	1 2 6 cm Salad Bowl (specify comparison variety)

Spread of Bolter Plant (at widest point):

4 2

cm This Variety

4 6

cm Salad Bowl

(specify comparison variety)

2

BOLTER LEAVES:

1=Straight

2=Curved

2

MARGIN:

1=Entire

2=Dentate

-

COLOR:

RED

1=Light Green

2=Medium Green

3=Dark Green

BOLTER HABIT:

2

TERMINAL  
INFLORESCENCE:

1=Absent

2=Present

2

LATERAL SHOOTS:  
(above head)

1=Absent

2=Present

1

BASAL SIDE SHOOTS:

1=Absent

2=Present

## 9. MATURITY (earliness of harvest-mature head formation):

NOTE: Complete this section for at least one season.

SEASON	Applic. 1/ #of days	Check 1/ #of days	CHECK VARIETY 2/
Spring	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>	
Summer	<input type="text"/> 5 <input type="text"/> 0	<input type="text"/> 3 <input type="text"/> 4	Salad Bowl
Fall	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>	
Winter	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>	

Give planting date(s), and location(s):

Spring

Summer

Sowing date: 31 March 1998 Roelofarendsveen, The Netherlands

Fall

Winter

1/ First water date to harvest.

2/ Fill in check variety name on the appropriate line.

## 10. ADAPTATION:

PRIMARY REGIONS OF ADAPTION (tested and proven adapted):

(0=Not tested

1=Not Adapted

2=Adapted)

☐

Southwest (Calif., Ariz. desert)

☐

West Coast

☐

Northeast

☐

Northcentral

☐

Southeast

☒

OTHER all areas

SEASON:

☐

Spring (area \_\_\_\_\_)

☐

Fall (area \_\_\_\_\_)

☐

Summer (area \_\_\_\_\_)

☐

Winter (area \_\_\_\_\_)

☐

GREENHOUSE:

0=Not tested

1=Not Adapted

2=Adapted

☐

SOIL TYPE:

1=Mineral

2=Organic

3=Both

11. DISEASES AND STRESS REACTIONS (0=Not tested; 1=Susceptible; 2=Intermediate; 3=Resistant; 4=Highly resistant; 5=Tolerant):

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VIRUS

- ☐ 0 Big Vein  
☒ 1 Lettuce Mosaic  
☐ 0 Cucumber Mosaic  
☐ 0 Broad Bean Wilt  
☐ 0 Turnip Mosaic  
☐ 0 Beet Western Yellows  
☐ 0 Lett. Infectious Yellows  
☐ 0 Other Virus \_\_\_\_\_

FUNGAL/BACTERIAL

- ☐ 0 Corky Root Rot (Pythium Root Rot)  
☒ 4 Downy Mildew (Races NL 1-16, Cal I, IIa, IIb, IIc and V)  
☐ 0 Powdery Mildew  
☐ 0 Sclerotinia Rot  
☐ 0 Bacterial Soft Rot (Pseudomonas spp. & others)  
☐ 0 Botrytis (Gray Mold)  
☐ OTHER \_\_\_\_\_

INSECTS

- ☐ 0 Cabbage Loopers  
☒ 1 Root Aphids  
☐ 0 Green Peach Aphid  
☐ 0 Other Insect \_\_\_\_\_

PHYSIOLOGICAL/STRESS

- ☐ 0 Tipburn  
☐ 0 Heat  
☐ 0 Drought  
☐ 0 Cold  
☐ 0 Salt  
☐ 0 Brown Rib (Rib Discoloration, Rib Blight)  
☐ OTHER \_\_\_\_\_

POST HARVEST

- ☐ 0 Pink Rib  
☐ 0 Russet Spotting  
☐ 0 Rusty Brown Discoloration  
☐ 0 Internal Rib Necrosis (Blackheart, Gray Rib, Gray Streak)  
☐ 0 Brown Stain

12. BIOCHEMICAL OR ELECTROPHORETIC MARKERS:

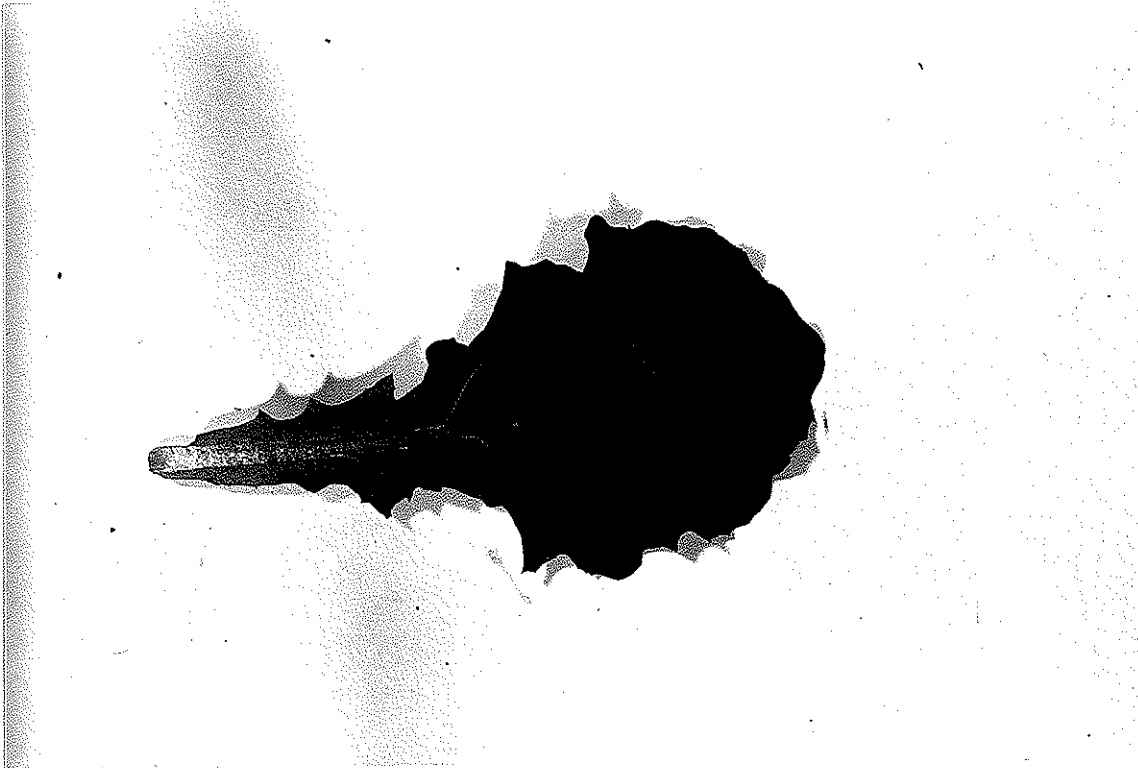
13. COMMENTS:

99 JUN 22 P3:16

RECEIVED  
USDA-ARS-PVPO

SUGGESTED CHECK VARIETIES

<u>TYPE</u>	<u>CHECK VARIETY</u>
1) CUTTING/LEAF	SALAD BOWL
2) BUTTERHEAD	DARK GREEN BOSTON
3) BIBB	BIBB
4) COS, OR ROMAINE	PARRIS ISLAND
5) GREAT LAKES GROUP	GREAT LAKES 659-700
6) VANGUARD GROUP	VANGUARD
7) IMPERIAL GROUP	VIVA
8) EASTERN GROUP	ITHACA
9) STEM	CELTUCE
10) LATIN	MATCHLESS



Lettuce "MENDOZA"

9900343

RIJK ZWAAN



EXHIBIT D

*Additional Description of the Variety*

"Mendoza" is a Leaf lettuce with an extremely strong red coloration and with resistance to the Downy Mildew races NL 1-16 and CAL races I, II, III and V. The variety is thin leaved and relatively fast bolting.

The variety is especially suitable for harvesting in baby leaf stage and can be grown yearround indoors as well outdoors.

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) Rijk Zwaan Zaadteelt en Zaadhandel B.V.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  N/A	3. VARIETY NAME  MENDOZA
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)  Burgemeester Crezeelaan 40, 2678 KX DE LIER, The Netherlands	5. TELEPHONE (include area code)  00 31 174 532300	6. FAX (include area code)  00 31 174 513730
7. PVPO NUMBER <b>9900343</b>		

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company? ☐ YES ☒ NO  
If no, give name of country \_\_\_\_\_

10. Is the applicant the original breeder? If no, please answer the following: ☒ YES ☐ NO

a. If original rights to variety were owned by individual(s):  
Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country \_\_\_\_\_

b. If original rights to variety were owned by a company:  
Is the original breeder(s) U.S. based company? If no, give name of country \_\_\_\_\_

11. Additional explanation on ownership (If needed, use reverse for extra space):

**PLEASE NOTE:**

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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